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PTO/SB/21 (02-04)

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/799 113	
	Filing Date	03/12/2004	
	First Named Inventor	NYE, JR., CHARLES J.	
	Art Unit	3612	
	Examiner Name	GORDON, STEPHEN T.	
Total Number of Pages In This Submission	3	Attorney Docket Number	03-099

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Bohan, Mathers & Associates, LLC	
Signature	<i>Peter J. Somerville</i>	
Date	April 25, 2005	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Sent via Fax to: 703-872-9306			
Typed or printed name	Peter J. Somerville		
Signature	<i>Peter J. Somerville</i>	Date	April 25, 2005

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APR 25 2005

Application No.: 10/799113 Confirm. No.: 8234
Filing Date: 3/12/2004
Inventor: Charles J. Nye, Jr.
Title: Dump Trailer
Art Unit: 3611
Examiner: GORDON, STEPHEN T.
Attorney Docket No.: 03099

To: Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement

Dear Sir:

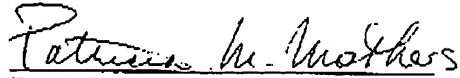
This election is being filed in response to the restriction requirement of April 6, 2005.

Examiner indicated that FIG. 2 was a separate Species from Species A, when actually, FIG. 2 is only a different view of the trailer shown in FIG. 1. Thus, Species A includes FIGS. 1 – 5B and Applicant requests that Examiner amend his definition of Species A to include these figures.

Applicant asserts that claim 1 is generic to Species A (and B, see below) and E, as shown in FIGS. 1 – 5B, and 12 - 16, because claim 1 recites a trailer and a tow bar assembly that reads on both these embodiments. The corresponding claims are claims 11 – 13. Applicant therefore traverses Examiner's restriction of Species E and requests that Examiner include these corresponding claims in his examination of the application.

Nevertheless, in order to file a complete response to the Restriction Requirement, Applicant elects Species A (FIGS. 1 – 5B) and the claims 1 – 10 that read on that Species, and withdraws from examination claims 11 – 15.

Respectfully submitted,



Patricia M. Mathers

Attorney for Applicants

Reg. No. 44,906

Bohan, Mathers & Associates, LLC

P. O. Box 17707

Portland, ME 04112-8707

(207) 773-3132

Date: April 25, 2006

Attached: Transmittal sheet